

**Petition For Revival Of An Application For Patent Abandoned  
Unintentionally Under 37 CFR 1.137(b) (Small Entity)**

Docket No.  
T8466250US

In Re Application Of: **CRUPI**

Serial No.  
09/917,824

Filing Date  
07/31/2001

Examiner  
R. Addie

Group Art Unit  
3671

Invention:  
**METHOD OF IN-SITU REJUVENATION OF ASPHALT PAVEMENT**

Attention: Office of Petitions  
COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, VA 22313-1450

NOTE: If information or assistance is needed in completing this form, please contact Petitions Information at (703) 305-9282.

The above-identified application became abandoned for failure to file a timely and proper response to a notice or action by the Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus any extension of time actually obtained.

**APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION**

NOTE: A grantable petition requires the following items:

- (1) Petition fee;
- (2) Reply and/or issue fee;
- (3) Terminal disclaimer with disclaimer fee--required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
- (4) Statement that the entire delay was unintentional.

1. ☒ A proposed reply to the above-identified Office Action:

☒ is enclosed. ☐ was filed on \_\_\_\_\_

The proposed reply is in the form of: an Amendment and Argument

2. ☐ The issue fee:

☐ is enclosed. ☐ was paid on \_\_\_\_\_

3. ☐ A small entity declaration:

☐ is enclosed. ☐ was filed on \_\_\_\_\_

4. ☒ The abandoned application was a:

☐ design application. ☒ utility application. ☐ plant application.

5. ☐ A terminal disclaimer (and fee) disclaiming a period equivalent to the period of abandonment is enclosed.

6. ☒ Since this utility/plant application was filed on or after June 8, 1995, no terminal disclaimer is required.

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**Calculation and Payment of Fees**

Enclosed are the following fees:

7. ☒ Petition fee under 37 CFR 1.17(m) in the amount of: \$665.00
8. ☐ Fee for amendment in the amount of: \_\_\_\_\_
9. ☐ Fee for extension of time to reply to Office Action in the amount of: \_\_\_\_\_
10. ☐ Issue fee in the amount of: \_\_\_\_\_
11. ☐ Continuing application filing fee in the amount of: \_\_\_\_\_
12. ☐ Terminal disclaimer fee in the amount of: \_\_\_\_\_
13. ☐ \_\_\_\_\_

Total fees enclosed: \$665.00

The fee of **\$665** is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to  
Deposit Account No. **07-1750**

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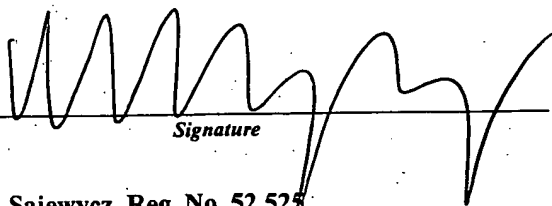
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**Statement**

The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional.

Please see attached separate sheet for further explanation.



*Signature*

Dated: Apr. 8/04

**Mark W. Sajewycz, Reg. No. 52,525  
Gowling Lafleur Henderson LLP  
Commerce Court West, Suite 4900  
Toronto, Ontario  
M5L 1J3  
Canada**

I certify that this document and fee is being deposited on \_\_\_\_\_ with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Mail Stop Petition, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

*Signature of Person Mailing Correspondence*

*Typed or Printed Name of Person Mailing Correspondence*

CC:



On May 9, 2003, the Applicant received the Notice of Abandonment (dated April 25, 2003).

On June 4, 2003, the Applicant filed a Petition under 37 CFR §1.81 to Withdraw the Notice of Abandonment.

On November 10, 2003, the Applicant received a Decision on Petition to Withdraw the Holding of Abandonment (dated November 3, 2003), dismissing the July 31, 2003 Petition.

On December 30, 2003, the Applicant filed a Request for Reconsideration of Decision Refusing to Withdraw the Holding of Abandonment, as well as a Renewed Petition Under 37 CFR §1.81 to Withdraw the Holding of Abandonment.

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On March 8, 2004, the Applicant received a Decision on Petition to Withdraw the Holding of Abandonment (dated March 2, 2004), dismissing the December 30, 2003 petition.

The Applicant now petitions for revival of the application abandoned unintentionally under 37 CFR 1.137(b).